

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

NEW JERSEY BUILDING LABORERS  
STATEWIDE BENEFIT FUNDS AND  
THE TRUSTEES THEREOF,

Petitioners,

v.

STEVENS ENVIRONMENTAL,

Respondent.

Civ. No. 12-06486

**OPINION**

THOMPSON, U.S.D.J.

This matter has come before the Court on a Motion to Confirm the Arbitration Award brought by Petitioners New Jersey Laborers Statewide Benefit Funds (“Funds”) and the Trustees thereof (“Trustees”) (collectively, “Petitioners”). [Docket # 2]. This motion is unopposed by Respondent Stevens Environmental (“Respondent”). The Court has decided this matter after considering the parties’ written submissions and without holding oral argument pursuant to Federal Rule of Civil Procedure 78(b).

Upon review of the evidence presented, this Court finds that Respondent is bound by a collective bargaining agreement and a Declaration of Trust (“Trust Agreement”) of the aforementioned Funds. [1, Petition to Confirm Arbitration Award (“Petition”) at ¶¶ 6, 7]. These two agreements require Respondent to make contributions to the Funds. [*Id.* at ¶ 7]. When Respondent fails to make such contributions, the Trustees are permitted under the terms of the Trust Agreement to “take any action necessary or appropriate to enforce payment of contributions, interest damages, and expenses provided for herein.” [*Id.* at ¶ 8]. In accordance

with these terms, the Trustees have appointed a Permanent Arbitrator to resolve claims of delinquent contributions to the Funds. [*Id.*].

The arbitrator's opinion indicates that Respondent was delinquent in making required contributions to the Funds between April 19, 2012 and May 2, 2012. [1, Ex. D at 4]. The ensuing dispute was submitted to an arbitrator, who, after due notification to Respondent, issued a written award. [Petition at ¶ 9].

Pursuant to 9 U.S.C. § 9, this Court has jurisdiction to enforce the awards of arbitrators. Having considered the written submissions of Petitioners in light of Respondent's failure to oppose the motion, and for good cause shown, the Court grants Petitioners' Motion to Confirm the Arbitration Award. An appropriate order accompanies this opinion.

/s/Anne E. Thompson  
**ANNE E. THOMPSON, U.S.D.J.**

Date: December 5, 2012